

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Joshua Davis**

**Docket No. 5:13-CR-13-1FL**

**Petition for Action on Supervised Release**

COMES NOW Kristyn Super, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Joshua Davis, who upon an earlier plea of guilty to Possession of a Firearm by a Felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on March 6, 2014, to the custody of the Bureau of Prisons for a term of 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Joshua Davis was released from custody on April 21, 2017, at which time the term of supervised release commenced.

On September 6, 2017, a violation report was submitted to the court reporting that the defendant tested positive for marijuana. At that time, Davis was referred to substance abuse treatment and placed in the Surprise Urinalysis Program.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On September 25, 2017, the defendant submitted to a urinalysis screening, which was confirmed as positive for marijuana by Alere Laboratories on October 5, 2017. Davis was confronted with the results of that screening and admitted to smoking marijuana in an effort to help him sleep. This screening will be addressed with his substance abuse treatment counselor and as a sanction for the violation conduct, it is respectfully recommended that the conditions of supervised release be modified to include successful completion of community service hours.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.


/s/ Robert L. Thornton  
Supervising U.S. Probation Officer

/s/ Kristyn Super  
U.S. Probation Officer  
Jacksonville, NC  
Phone: 910-346-5104  
Executed On: October 16, 2017

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**ORDER OF THE COURT**

Considered and ordered this 17th day of October, 2017, and ordered filed and made a part of the records in the above case.

  
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Louise W. Flanagan  
U.S. District Judge